

REMARKS

This amendment is presented in response to the office action mailed November 4, 2004 to place the application in condition for favorable reconsideration and allowance. In this paper, claims 1-22 were amended.

- 5 Also, amendments were made to the Summary of Invention and Abstract of the Disclosure. Presently, the application contains claims 1-22. Favorable reconsideration and allowance of all claims in the application are hereby requested.

HILTON DAVIS / FESTO STATEMENT

- 10 The amendments to claims 1-22 were not made for any reason related to patentability. Rather, these changes were implemented to correct typographical and grammatical errors, broaden a number of undesirably narrow terms, implement a number of improvements in style and form and
- 15 readability, and clarify the statement of invention. The original claims were already distinguished over the only applied reference. Nevertheless Applicant has sought to substantially rewrite the claims in order to take advantage of the pendency of this application, and achieve a number of tangible improvements before the case eventually passes to issue.

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35 USC 103 REJECTIONS: CLAIMS 1-22

- Claims 1-22 were rejected under 35 USC 103 as being unpatentable over the U.S. Patent No. 6,073,104 to Field. This rejection is hereby traversed. Taking claim 1 as an example, the proposed combination of
- 25 references fails to teach the following combination:

- "A trade finance automation system, comprising:
- 30 an accounts receivable database receiving and storing invoices issued by one or more prescribed vendors for sales made to specified buyers;
- a credit limits database containing various credit limits applicable to buyers' accounts receivables that are subject to existing third party financing, the credit limits dictated by factors including terms of said third party financing;
- 35 a credit limits tester performing substantially real time checking of buyers' invoices in the accounts receivable database to ensure

compliance with the credit limits set forth in the credit limits database for said buyers.

As a more particular example, claim 1 is patentably distinguishable from the applied art because the applied art does not show the claimed combination including "a credit limits database containing credit limits applicable to buyers' accounts receivables that are subject to existing third party financing, the credit limits dictated by factors including terms of said third party financing." Rather than any concern with the status of buyers' ongoing accounts receivables vis-à-vis credit limits dictated by third party financing, Field is concerned with selling debt and hence, future financing of the accounts receivables. In this spirit, Field is said to provide a "computerized system that will allow healthcare providers to access the commercial paper market by "selling" their patient claims to asset backed commercial paper conduits."

15 [Field: Abstract] Thus, Field does not disclose any database of credit limits applicable to buyer's accounts receivables, as claimed.

Field also lacks "a credit limits tester performing substantially real time checking of buyers' invoices in the accounts receivable database to ensure compliance with credit limit information set forth in the credit limits database for said buyers." Although Field purportedly does some computations related to credit risk exposure, this is unrelated to the checking of buyers invoices. Rather, Field is said to perform calculations such as the total amount advanced to each payor, divided by the total amount advanced to all payors, etc. [Field: col. 13, lines 3-24] And, although Field is broadly alleged to generate accounting detail for controlling and auditing the provider's participation in the commercial paper conduit program, Field's disclosure is silent as to the nature of such detail, and the steps that an ordinarily skilled artisan would take to actually utilize such detail to actually carry out such control and auditing. Finally, Field does perform any updating substantially in real time, as required. [Field: col. 6, lines 51-67; FIG. 6, 21]

In view of the foregoing, the features of claim 1 are absent from Field. Further, for similar reasons, independent claims 14-16 are distinguished from the applied art. And, even without considering any individual merits of claims


2-13 and 17-22, these claims are distinguished from the applied art because they depend from independent claims that are distinguished as discussed above.

CONCLUSION

In view of the foregoing, all pending claims in the application are considered to be patentable over the applied art. Favorable reconsideration and allowance of the application are hereby requested.

If any fees are required by this submission, an appropriate fee submittal sheet is enclosed herewith. If fees are required yet this sheet is inadvertently missing, or the fees are incorrect in amount, please charge the charge the required fees (or credit any overpayment) to Deposit Account No. 07-1445.

Respectfully Submitted,


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